

Governor's Carcieri's legislative agenda for 2005 encompasses these areas to improve Rhode Island and the lives of all Rhode Islanders:

Creating Greater Access to Health Care in Rhode Island

Governor Carcieri: "As health care costs continue to climb, we must develop ways to improve access to care and make it more affordable for all Rhode Islanders."

- *Small Business Health Plan Act.* This legislation would level the playing field for small employers and individuals by providing access to the tax preferences of high deductible health care plans and health savings accounts that are currently enjoyed by larger employers and their employees.
- *Health Care Tort Reform Act.* The American Medical Association lists Rhode Island as a state "showing significant problem signs" in its medical liability market. This legislation would reform the tort system, bringing it more in line with other states. There are several components to this legislation:
 - Lower the pre-judgment interest rates by tying it to such mainstream indices as the Treasury yield or the Federal discount rate.
 - Timely disclosure of expert witnesses.
 - Establishment of a pre-trial screening mechanism at the outset of the claim to determine if the case has merit to go forward.
 - Establishment of a two-year statute of limitations.
- *Amendment to Large Employer Health Insurance Coverage Act.* Allows employers with more than 50 individuals covered by their group health insurance plan to receive reports of their plan's claims experience. Employers with more than 100 covered individuals are currently entitled to receive such information.

Making It Easier to Do Business in Rhode Island

Governor Carcieri: "We must continue to demonstrate to the business community that Rhode Island is business-friendly. This legislation creates new opportunities for smaller and medium-sized businesses, addresses the issues associated with the high cost of health care and helps to root out fraud that raises the costs for all businesses."

- *TDI Employee Productivity Act.* Individuals collecting Temporary Disability Insurance (TDI) would be allowed to do some work and collect a partial TDI payment. This enables an individual to do some work and not be penalized for trying to be productive. The TDI benefit would be reduced dollar for dollar by weekly earnings that exceed one-fifth of their weekly benefit rate.
- *Unemployment Tax Fraud Prevention Act.* This legislation conforms to a new federal requirement to prevent employers from unlawfully manipulating the State Unemployment Tax Act (SUTA). It would prevent employers from fraudulently receiving a lower tax rate.

Encouraging Good Government

Governor Carcieri: “Good government is a government that lives within its means. We continue to reform state government to make it more efficient and more accountable to the people of Rhode Island.”

- *Tax & Spending Accountability Act:* This referendum would amend the constitution to maintain accountability in the budget and to keep state spending in check. If approved by the General Assembly and the voters, this amendment would contain two provisions:
 - Budget line item veto authority. The governor would have the authority to veto individual budget items. Forty-three governors already have the line item veto.
 - Super majority to approve tax increases. Any budget or appropriations bill that requires a tax increase would require the approval of a two-thirds majority in both houses.
- *Secretariat of Health and Human Services Act.* This legislation establishes a Secretariat of Health and Human Services to manage the Department of Children, Youth and Families, the Department of Elderly Affairs, the Department of Health and Human Services, and the Department of Mental Health, Retardation and Hospitals. This position links the departments to effectively coordinate and deliver services to the populations served by these agencies.
- *Municipal Health Care Provider Choice Act.* This legislation prohibits collective bargaining agreements covering state and municipal employees and teachers from mandating that an employer provide a specific provider of a health care benefit plan.
- *State Employee Definition Act.* This legislation clarifies the definition of a state employee. Only those who are appointed to a position created within state statutes would be defined as state employees.
- *State Audit Accountability Act.* A result of a Fiscal Fitness recommendation, this legislation ensures greater accountability through an Audit Committee to meet quarterly and review, adjust, and approve the annual audit plan of the Bureau of Audits.
- *Bureau of Audits Independence Act.* To increase the independence of the Bureau of Audits, this legislation would enable the Bureau to provide management, advisory, or consulting services to agencies and departments requesting special projects. Audit staff could be deployed to those activities of the highest concern. Reviews could also be ordered by the Governor.
- *Correction of drafting oversight on posting of audit reports.* To correct drafting oversights from the passage of legislation in 2004, this legislation clarifies that all state agencies, boards, and commissions subject to an audit must post the results on its websites.

Safeguarding Older Rhode Islanders

Governor Carcieri: “Those who live in nursing facilities are among our state’s most vulnerable citizens. We will protect them by making sure that the facilities in which they live are safe and financially sound. We must also provide Rhode Island seniors with a greater voice in public safety issues.”

- *Nursing Facility Resident Safety Act.* To improve the oversight and accountability of the state’s nursing homes, this legislation increases regulation of nursing facilities in several key areas:
 - Determine the financial solvency of nursing facilities, and assure that quality of care is not compromised by insolvency.
 - Avoid closure of facilities.
 - Affirm the financial and fiduciary responsibility of owners and governing bodies to prevent declines in financial condition or quality of care.
 - Assure residents and family members of notification if their facility is in jeopardy.
 - Provide the Director of Health with additional authority for enforcement
- *Senior Citizens Safety Act.* This Act has two provisions:
 - Each local police and fire department would be required to name a Senior Citizen Police Advocate and a Senior Citizen Fire Advocate to work as a liaison between the department and the elderly community.
 - The state fire marshal and the president of state Fire Chief’s Association would be added as members of the Citizens’ Commission for the Safety and Care of the Elderly.

Improving Rhode Island’s Schools

Governor Carcieri: “If our students are to meet and surpass the goals we set for them, we must provide them with good schools. That means creating an effective teacher evaluation program with appropriate incentives and rewards, while making school budgets more efficient so that school districts can invest in educating students.”

- *Quality Teacher Act.* This legislation would expand the authority of the state Board of Regents to adopt teacher evaluation standards and for the Commissioner to develop and implement a statewide teacher evaluation program for all certifications.
- *Special Needs Students Transportation Act.* To improve service and reduce costs, this legislation would establish a statewide school busing system to transport Rhode Island special needs students.
- *Municipal School Contract Accountability Act.* Under current law, the school committees obligate the towns for school spending but municipal councils levy the taxes. Under this legislation, no collective bargaining agreement would become effective until ratified by the municipal council.

Making Rhode Island Safer

Governor Carcieri: “We are making Rhode Island a safer place to live. On the roads, drivers who drink, drivers who are aggressive on the road, and drivers who fail to buckle up will be held accountable for their actions. We will also ensure that those who are on probation or who have been paroled are receiving appropriate treatment.”

- *Drunk Driving Responsibility Act.* Drivers suspected of driving while intoxicated would face increased penalties for refusing to submit to a chemical test. Current fines would be

doubled under this legislation. A second violation within a five-year period would constitute a misdemeanor offense ; a third offense within a five-year period would constitute a misdemeanor offense and the driver's license would be revoked.

- *Seat Belt Safety Act.* Police who spot a driver or passenger not wearing their seat belt could be stopped and ticketed for the offense. Under current law, police may only ticket a driver for this offense if the driver is stopped for another infraction.
- *Aggressive Driving Reform Act.* Changing lanes in a dangerous manner or misusing the center lane would be added to the list of violations that constitute aggressive driving.
- *Commercial Driver Safety Act.* This legislation brings Rhode Island in compliance with federal laws and regulations with updated rules requiring more rest time for commercial truck drivers.
- *Sex Offender Treatment Act.* Sex offender treatment is currently not mandatory for sex offenses. Under the legislation, probationers would be referred to treatment and counseling to determine if sex offender treatment was necessary. This legislation also focuses on the function of probation and parole in sentencing and the role of the Department of Corrections in enforcing probation and parole.

Honoring Military Service to Rhode Island and America

Governor Carcieri: "The men and women who serve our state and country in the National Guard and the military make us proud. This legislation helps to recognize the work that they do in protecting us."

- *RI National Guard Life Insurance Act.* Members of the RI National Guard activated for duty would be reimbursed for their monthly life insurance premiums. Those members who have already purchased policies would be retroactively reimbursed to July 2004.
- *Disability Insurance Equity Act.* This legislation would reformulate the TDI calculations so that wages earned prior to active duty status would be reviewed with the wages earned after returning from active duty. Under current TDI rules, the prior 18 months of an employee's prior work history is reviewed. Because active-duty service is excluded from those calculations, this may result in the ineligibility of guard members, who may have had enough time accrued before leaving for duty.

Preserving and Improving Rhode Island's Environment

Governor Carcieri: "No Rhode Islander should have to worry about the water that comes from their tap. This legislation will protect both the Narragansett Bay and the water we drink every day."

- *Cesspool Phase-Out Act of 2005.* This legislation phases out all high-risk cesspools over a 15-year period, targeting the oldest cesspools and substandard systems that are in close proximity to surface water, groundwater or wells. The goal is to eliminate all cesspools and other substandard systems by 2016.
- *MTBE Elimination Act.* This legislation bans methyl tertiary-butyl ether (MTBE) from gasoline that is sold, delivered for sale, or imported in the state. MTBE has seeped into the groundwater and contaminated the water supplies of residents in several Rhode Island towns and villages. Nineteen states, including Connecticut and New York, have instituted complete or partial MTBE bans. Both Connecticut and New York have successfully transitioned to MTBE-free gasoline. Maine and New Hampshire are scheduled to implement MTBE bans on Jan. 1, 2007, the date that this legislation would take effect.